



Washington, D.C. 20505

HSD

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10 JAN 1985

Mr. Edward H. O'Connell
Assistant Counsel
Subcommittee on Crime
Committee on the Judiciary
House of Representatives
Washington, D.C. 20515

Dear Mr. O'Connell:

As you are aware, the Central Intelligence Agency has serious concerns regarding the computer fraud legislation that was enacted in the last days of the 98th Congress. A proposed intelligence exception to the prohibitions contained in the legislation, which would have alleviated our concerns, was inadvertently dropped in a House/Senate conference.

While the legislative history suggests that Congress did not intend for the computer fraud legislation to cover authorized law enforcement and intelligence activities, Congressional intent should be made explicit through an amendment to the computer fraud legislation. Enclosed is proposed language for such an amendment, which would constitute a new subsection "f" to Section 1030 of Title 18. As you recall, this language was acceptable to you and Congressman Hughes.

I understand that an amendment to the computer fraud bill could be accomplished early in the next Congress through a bill that will make technical corrections to the Continuing Appropriation Resolution. We are prepared to provide whatever legislative assistance that may be required in order to obtain an intelligence exception to the computer fraud bill and anticipate working closely with you. Thank you for your cooperation.

Sincerely,

/s/Charles A. Briggs

Charles A. Briggs
Director, Office of Legislative Liaison

Enclosure

Proposed Amendment

(f) This section does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States.

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